

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

CLERK
DISTRICT COURT
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TEXAS-EASTERN

TED BLANKENSHIP

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BY _____

V.

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CASE NO. 4:05cv136
(Judge Brown/Judge Bush)

§

Commissioner of Social
Security Administration

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MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the Report of the United States Magistrate Judge, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On November 1, 2005, the Magistrate Judge entered his Report recommending the Defendant's Motion to Dismiss be denied as moot.

As neither party has filed objections to the Report and Recommendation, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss is DENIED AS MOOT.

SIGNED this 22 day of November, 2005.


PAUL BROWN
UNITED STATES DISTRICT JUDGE